

Senate File 2169

S-5035

1 Amend Senate File 2169 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 147.55, Code 2022, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 7A. Sexual abuse in the fourth degree in
7 violation of section 709.4A.

8 Sec. 2. Section 692A.102, subsection 1, paragraph c, Code
9 2022, is amended by adding the following new subparagraph:

10 NEW SUBPARAGRAPH. (012) Sexual abuse in the fourth degree
11 in violation of section 709.4A.

12 Sec. 3. NEW SECTION. **709.4A Sexual abuse in the fourth**
13 **degree — health care professionals.**

14 1. A health care professional commits sexual abuse in the
15 fourth degree when the health care professional implants the
16 health care professional's own human reproductive material
17 through assisted reproduction without the patient's prior
18 knowledge and written consent.

19 2. Sexual abuse in the fourth degree is an aggravated
20 misdemeanor.

21 3. For the purposes of this section:

22 *a. "Assisted reproduction"* means a method of causing
23 pregnancy other than sexual intercourse involving medical or
24 scientific intervention.

25 *b. "Gamete"* means a sperm, an egg, or any part of a sperm
26 or an egg.

27 *c. "Health care professional"* means a person who is
28 licensed, certified, or otherwise authorized or permitted
29 by the laws of this state to administer health care in the
30 ordinary course of business or in the practice of a profession.

31 *d. "Human reproductive material"* means a human gamete or a
32 human organism at any stage of development from fertilized ovum
33 to embryo.

34 *e. "Patient"* means a person who has received or is receiving
35 health services from a health care professional.

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(amending this SF 2169 to CONFORM to HF 2160)

1 Sec. 4. Section 802.2, Code 2022, is amended to read as
2 follows:

3 **802.2 Sexual abuse — first, second, ~~or third~~, or fourth**
4 **degree.**

5 1. An information or indictment for sexual abuse in the
6 first, second, ~~or third~~, or fourth degree committed on or
7 with a person who is under the age of eighteen years may be
8 commenced at any time after the commission of the offense.

9 2. An information or indictment for any other sexual abuse
10 in the first, second, ~~or third~~, or fourth degree shall be
11 commenced within ten years after its commission, or if the
12 person against whom the information or indictment is sought is
13 identified through the use of a DNA profile, an information or
14 indictment shall be commenced within three years from the date
15 the person is identified by the person's DNA profile, whichever
16 is later.

17 3. As used in [this section](#), "*identified*" means a person's
18 legal name is known and the person has been determined to be
19 the source of the DNA.>

20 2. Title page, line 1, by striking <fraud,>

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